

ce:jms
ORIGINAL

RANDY OYAMA, #5767
Attorney at Law
888 Mililani Street, PH2
Honolulu, Hawaii 96813
Telephone: 521-9840

Attorney for Defendant
JOHN CORNIEL, JR.

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

2006 23

at 11 o'clock and 25 min. (13)
SUE DEYIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 05-0300JMS-04
)
Plaintiff,) DEFENDANT JOHN CORNIEL, JR.'S
) SENTENCING STATEMENT;
vs.) CERTIFICATE OF SERVICE
)
JOHN CORNIEL, JR., (04)) Sentencing: September 5, 2006
) Judge: MICHAEL J. SEABRIGHT
Defendant.)
)

DEFENDANT JOHN CORNIEL, JR.'S SENTENCING STATEMENT

Defendant JOHN CORNIEL, JR., by and through his counsel, Randy Oyama, Esq., hereby submits his Sentencing Statement pursuant to the Order of this Court regarding Sentencing Guidelines, the Notice of Attorneys dated December 1, 2005, and Rule 32 of the Federal Rules of Criminal Procedure.

I. **FACTUAL INFORMATION.**

Defendant JOHN CORNIEL, JR., and his undersigned counsel have adequately reviewed the factual information contained in the Presentence Investigation Report prepared on July 13, 2006, and have the following objections.


Defendant objects to paragraph 76. Defendant states that he

was not sentenced to five years probation in August 2000.

Defendant objects to paragraph 79. On the dated offense for the criminal contempt of court conviction, notwithstanding that Defendant plead guilty to the charge, he was incarcerated having been picked up on a parole retake warrant on February 10, 2004. As such, his non-appearance in court was due to his incarceration and not being transported to court.

Defendant submits that this criminal history point should not be counted.

DATED: Honolulu, Hawai'i, AUG 23 2006.



RANDY OYAMA
Attorney for Defendant
JOHN CORNIEL, JR.